



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

May 2, 2019

BY ECF

The Honorable Sidney H. Stein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Uzair Paracha*, 03 Cr. 1197 (SHS)

Dear Judge Stein:

The Government respectfully writes to request an adjournment of trial in the above-captioned matter, which is currently scheduled to begin August 5, 2019.

As discussed in more detail at yesterday's *ex parte* conference, in order to meet its disclosure obligations under *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150, 154 (1972), and their progeny, as well as 18 U.S.C. § 3500, the Government must undertake a review of an extraordinarily large quantity of classified documents. The Government only recently became aware of the scope of those documents and the time it would take to complete its review. In addition, after the Government's review, several additional steps will need to be taken, almost certainly including the Court's consideration of an *ex parte* motion filed pursuant to the Classified Information Procedures Act, 18 U.S.C. app. 3. In addition, after any disclosures are made to the defense, defense counsel will require time to review those disclosures and determine whether motions—possibly including additional classified litigation—and follow-up investigation are warranted.

The Government intends to devote substantial resources, in terms of both time and personnel, to the review described above. The Government expects, nevertheless, that the review and likely subsequent litigation will take a lengthy period of time. Absent the requested adjournment, the Government will be unable to meet its disclosure obligations or ensure that the defendant has all the material to which he is entitled in order to adequately prepare his defense. Accordingly, the Government respectfully requests an adjournment of approximately one year from the currently scheduled trial date. Defense counsel consents to an adjournment until December 2019.

Should the Court grant this request, the Government moves to exclude time, in the interests of justice, between today and the rescheduled trial date, in order to allow for the Government's review of the voluminous classified materials, the Government's production of materials as appropriate, defense counsel's review of that discovery, the parties' contemplation and preparation of motions, the Court's decision on any such motions, and the parties' subsequent preparation for trial. The exclusion of time will also allow the parties to engage in discussions regarding a potential pretrial disposition of this case.

Respectfully submitted,

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cc: Joshua Dratel, Esq. (by ECF)